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December 5, 2007

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**VIA ECF and FACSIMILE (212) 805-7901**

Hon. Harold A. Baer  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2230  
New York, NY 10007

**USDS SDNY**  
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**Re: USA v. Yeung, Eng et al.**  
**1:07-cr-00461-HB**

Dear Judge Baer:

This firm represents Frances Eng, who is currently scheduled to appear before you for sentencing on December 27, 2007.

I am respectfully requesting an adjournment of Ms. Eng's sentencing for approximately one month due to two factors. First, I have scheduled a family vacation for Christmas week, which would make me unavailable for December 27.

Secondly, Ms. Eng's plea agreement contains a provision for a *Fatico* hearing, which has not yet been scheduled. From my conversations with AUSA O'Neil, I understand that the Government has not yet decided whether it wishes to proceed with the hearing. Should it choose to go forward, however, I do not believe either side could adequately prepare for what would be a rather lengthy proceeding prior to December 27, nor do I know if the Court's calendar has space for it during the next three weeks.

I believe the Government will also join in my request for the adjournment.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me. I look forward to your response.

Sincerely yours,

Peter E. Brill

cc: David O'Neil

Endorsement:

Granted on request to January 24 at 9:30 A.M. for sentence  
if Fatico hearing acquaints me with how long it will take.